

## II. Application for Social Services

### A. Application Requirements

**The application for services shall be made through a form provided by the Department of Health and Human Services or an equivalent form. [NCAC 71R .0405]**

**All applicants for social services must initiate entry into the social services system via a written application except that no application shall be required for the following:**

**Evaluation of the need for protective services for adults;**

<http://info.dhhs.state.nc.us/olm/manuals/doa/aps/man/>

**Guardianship services for adults;** <http://info.dhhs.state.nc.us/olm/manuals/doa/gs/man/>

**Protective services for children;** <http://info.dhhs.state.nc.us/olm/manuals/manuals.aspx?dc=dss>

**Foster care services for children;**

<http://info.dhhs.state.nc.us/olm/manuals/manuals.aspx?dc=dss>

**Employment program services;** <http://info.dhhs.state.nc.us/olm/manuals/manuals.aspx?dc=dss>

**[10A NCAC 71R .0401]**

**In all circumstances other than those listed above, an application must be signed and dated by the applicant or the applicant's representative, or in instances where the applicant executes his/her signature by making a mark (x), the application shall include a signature of a witness.**

**[10A NCAC 71R .0405]**

When an individual makes an application for services, it is expected that the individual will sign the application. In some instances, the application may be signed by a member of the applicant's family or by some other representative of the applicant. If there is no one else that can sign, the applicant's representative may be agency staff, if necessary, to obtain the service for the client. Agency staff should document why no other family member or representative could sign for the services.

Although a signed application is not required for adult protective service evaluations, guardianship services for adults or child protective services, there are other documentation requirements prior to the initiation of services. See Part D (Application Documentation Requirements) of this section for additional State policy.

While the DSS-5027 or an equivalent form approved by the appropriate State agency is considered the application form, the DSS-5027 has multiple uses. See

<http://info.dhhs.state.nc.us/olm/manuals/dss/rim-01/man/SIS.htm#P68.815> for a discussion of the uses of the DSS 5027.

## **B. Opportunity to Apply**

**An individual may apply for social services and have his/her application acted upon no more than 30 calendar days from the application date. [10A NCAC 71R .0402]**

**Application for social services may be made by:**

**An adult or emancipated minor on his/her own behalf or on behalf of others in his/her family;**

**A parent, custodian or guardian acting on behalf of a minor;**

**Someone for the applicant if the applicant is believed to be incompetent or incapacitated; or**

**Agency staff on behalf of an individual in the event of an emergency, or when there is some urgency to provide services, or if arranging for the individual to make application would create a barrier to the receipt of services.**

**[10A NCAC 71R .0403]**

Each individual for whom services are requested should have a separate application (DSS-5027 or an equivalent form approved by the appropriate State agency). The same person may sign all the applications as needed, for example a parent may sign on behalf of all family members who are not able to sign for themselves.

## **C. Methods for Making Application**

**When the application is made through a mailed or electronically transmitted request for service(s), the agency shall transfer the information to the application form and maintain the written request in the service record. [10 A NCAC 71R .0405]**

An applicant or his/her representative may sign the application in the agency office, in the client or representative's home or any other designated location.

If there is insufficient information provided through a mailed or electronically submitted written request, agency staff should call or visit the applicant to complete the information. The applicant needs to sign the application when it has been completed.

## **D. Application Documentation Requirements**

**The application form must include at a minimum:**

**Identification of the individual for whom the service(s) is (are) requested;**

**Identification of the specific service(s) requested for both initial requests and additional requests;**

**Date of the request;**

**Signature of the applicant or his/her representative, the date of the signature and for situations where the person making the application executes his/her signature by making a mark (X), the signature of a witness;**

**Signature of the social worker determining eligibility and date that determination was made; and**

**Documentation that the application is voluntary and that the individual has been informed of the following rights and responsibilities associated with applications for social services:**

**The right to request and obtain a fair hearing if his/her application is not acted on by the rules of this Subchapter [see 10A NCAC 71R .0402] or if (s)he disagrees with the agency's action in response to his/her application for services;**

**The right to confidentiality and that the information given to the agency will be confidential and not be released without written consent except for information necessary to establish eligibility, information that may be revealed in the course of agency audits and monitoring and as otherwise required by law; and**

**His/her responsibilities to provide accurate and complete information necessary to determine eligibility and, if requested, to provide documentation of such information; to notify the agency within five days of any change in address, employment, income, living arrangement or family size; and that failure to provide accurate and complete information may subject him/her to prosecution.**

**[10 A NCAC 71R .0405]**

**The date of the application is when the applicant signs the application, the date of request for guardianship for adults or the date of the report for Adult Protective Services or Children's Protective Services.**

**[10 A NCAC 71R .0405]**

When an applicant executes his/her signature by making a mark (X), the worker may serve as a witness if there is no other family member, friend or other staff available. The worker should document in the record that no other person was available to serve as a witness.

The signature of the worker and the date the eligibility decision was made are necessary for determining prompt service provision, appeals and fair hearings procedures and fiscal accountability.

## **E. Exceptions to Application Documentation Requirements**

**When a signature of the applicant or his/her representative is not obtained because obtaining the signature would create a barrier to the receipt of the service, the social worker shall document the request indicating the service(s) requested, the date of the request and the circumstances that prevented the worker from obtaining the signature.**

**[10 A NCAC 71R .0405]**

**The social worker must sign and date the application to indicate the date eligibility was determined.**

**[10 A NCAC 71R .0405]**

**In the case of applications for Health Support Services-Family Planning Component, the signature of the applicant is always required and must not be waived.**

**[10 A NCAC 71R .0405]**

For purposes of Protective Services for Adults-Evaluation and Protective Services for Children, the DSS copy of the accepted report of abuse, neglect or exploitation should be maintained in the case record in addition to the DSS 5027 (or an equivalent form approved by the appropriate State agency).